IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 30TH NOVEMBER 2007 / 9TH AGRAHAYANA 1929

W.P(C).No. 35076 of 2007(A)

PETITIONER:

VARGHESE NINAN THARAKAN,
S/O.NINAN.P.VARGHESE, AGED 28 YEARS,
RESIDING AT POLACHIRACKAL HOUSE, PALIAKKARA,
THIRUVALLA-1.

BY ADV. SRI. A.JAYASANKAR
SRI. MANU GOVIND

RESPONDENTS:
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1. **MAHATMA GANDHI UNIVERSITY, REPRESENTED BY ITS REGISTRAR PRIYADHARSHINI HILLS, ATHIRAMPUZHA, KOTTAYAM.**
2. **THE CONTROLLER OF EXAMINATION, M.G.UNIVERSITY, PRIYADHARSHINI HILLS, ATHIRAMPUZHA, KOTTAYAM.**
3. **THE GOVERNMENT LAW COLLEGE, ERNAKULAM, REPRESENTED BY THE PRINCIPAL.**

BY ADV. SRI.T.A. SHAJI, SC FOR UNIVERSITY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) No. 35076 OF 2007-A

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Dated this the 30th November, 2007

J U D G M E N T

The prayer sought for in this writ petition is to permit the petitioner to appear for the final semester LL.B. Examination (5 year) along with the students appearing for the examination notified for LL.B. (3 year) as per Ext. P5. This claim of the petitioner is made on the basis that though the examination scheduled is for 3 year batch and he belongs to the 5 year batch, the examinations are held together and that the paper contents are also identical.

2. Though at the first blush it would appear to be innocuous and the petitioner pleads that the University will not be prejudiced in any manner, I am not prepared to grant the relief sought for. It is a fact that the petitioner belongs to the 5 year batch and the examination notified as per Ext. P5 is for the 3 year batch. Naturally the standard of examinations and the standard of valuation will be qualitatively different. Even if the paper taught for these two batches is the same going by the nomenclature, it will be qualitatively dissimilar. Therefore, I see no justification in the

petitioner's prayer for permitting him to appear for the examination along with the 3 year batch of students.

Writ petition fails and is dismissed.

ANTONY DOMINIC
JUDGE

jan/-